

United States Bankruptcy Court
SOUTHERN District Of NEW YORK

In re <u>BLUE DOG AT 399 INC.</u> ,)	Case No. <u>15-10694 (MEW)</u>
Debtor)	
<u>BLUE DOG AT 399 INC.</u>)	Chapter <u>11</u>
Plaintiff)	
v.)	Adv. Proc. No. <u>19-01029</u>
<u>SEYFARTH SHAW LLP and R. BERMAN</u>)	
Defendant, Third-party plaintiff)	
v.)	
<u>E. SLAVUTSKY, R. POWELL, and D&D FUNDING</u>)	
Third-party defendant)	

THIRD-PARTY SUMMONS

YOU ARE SUMMONED and required to file a motion or answer to the third-party complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the third-party complaint within 35 days.

Clerk of the Court
Address of the clerk: United States Bankruptcy Court
for the Southern District of New York
One Bowling Green
New York, NY 10004-1408

At the same time, you must also serve a copy of the motion or answer upon the defendant's attorney.

Name and Address of Defendant's Attorney: Morrison & Foerster LLP
Attn: Joel C. Haims or Andreea R. Vasiliu
250 West 55th Street
New York, NY 10019-9601

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney: Scott Michael Hare, Esq.
437 Grant Street - Suite 1806
Pittsburgh, PA 15219

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012. If you are also being served with a copy of the complaint of the plaintiff, you have the option of not answering the plaintiff's complaint **unless** this is an admiralty or maritime action subject to the provisions of Fed. R. Civ. P. 9(h) and 14(c), in which case you are required to file a motion or an answer to both the plaintiff's complaint and the third-party complaint, and to serve a copy of your motion or answer upon the appropriate parties.

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE THIRD-PARTY COMPLAINT.

Vito Genna (Clerk of the Bankruptcy Court)

Date: 9/06/2019

By: /s/Carmen Ortiz (Deputy Clerk)